

AO 91 (Rev. 01/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
District of New MexicoFILED  
U.S. DISTRICT COURT  
DISTRICT OF NEW MEXICO  
2018 APR 11 AM 9:46  
CLERK-LAS CRUCESUnited States of America  
v.Juan Alberto BARBA-Esparza  
A.K.A. BARBA-Reyes, Juan

Case No:

18 MJ 1204

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of April 08, 2018 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. §1326(a)(1)/(b)(2)(Re-Entry After Deport Agg Felon), an offense described as follows:

an alien, who had been previously arrested and deported from the United States, subsequent to being convicted of an aggravated felony, to wit: Possession of Cocaine 15 > 100, and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, being willfully in the United States unlawfully

This criminal complaint is based on these facts:

On April 8, 2018, a United States Border Patrol Agent encountered the Defendant in Dona Ana County, New Mexico. The Agent questioned the Defendant as to his citizenship to which the Defendant stated that he was a citizen and national of Mexico, present in the United States without Immigration Documents that would allow him to be or remain in the United States legally. Processing at the Santa Teresa Station revealed that the Defendant had been previously deported to Mexico via Alexandria, Louisiana on or about July 26, 2017. This was subsequent to an aggravated felony conviction for "Possession of Cocaine 15 <100" in the State of Illinois on or about January 15, 2014. There is no evidence that the Defendant received permission from the Appropriate Authority to reapply for admission into the United States.

☐ Continued on the attached sheet.

Complainant's signature

Ruby Cordova, BORDER PATROL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date: April 11, 2018

City and state: Las Cruces, N.M.

GREGORY B. WORMUTH  
U.S. MAGISTRATE JUDGE

Printed name and title